

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-80—sSB 1
Education Committee
Appropriations Committee

**AN ACT CONCERNING CHILDHOOD MENTAL AND PHYSICAL
HEALTH SERVICES IN SCHOOLS**

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§ 1 — WAGE SUPPLEMENT AND CHILD CARE PROGRAM ENHANCEMENT GRANT PROGRAM

Requires OEC to create a program for FY 23 to give grants to early childhood program operators and child care services providers to (1) supplement employee salaries or (2) address program or administrative needs; requires the office to distribute grant funds between state-funded and non-state funded providers using a prescribed percentages split

The act requires the Office of Early Childhood (OEC) to create and administer a “wage supplement and child care program enhancement grant program” for FY 23. These grants may be used by early childhood program operators and child care services providers to (1) supplement their employees' annual salaries or (2) address program or administrative needs, within specified guidelines.

Beginning on August 1, 2022, the office must provide these grants to the following entities that meet OEC-created eligibility requirements: school readiness

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programs, private preschool programs, state-contracted child care centers for disadvantaged children, child care centers, group child care homes, and family child care homes (see *Background*, below). These entities may submit a grant application to OEC on a form and in a manner the office determines. The act requires OEC to develop (1) grant eligibility criteria and (2) program administration and grant expenditure guidelines.

Under the act, OEC must distribute the appropriated grant funds accordingly: (1) 70% to eligible program operators and service providers that do not receive state funding or state financial assistance and (2) 30% to operators and providers that do. Additionally, it requires the OEC commissioner, when awarding the grant, to give priority to program operators and service providers that will use the funds exclusively to supplement employees' annual salaries.

EFFECTIVE DATE: July 1, 2022

Background — Program Operators and Service Providers

School Readiness Programs. School readiness programs are nonreligious, state-funded programs that provide a developmentally appropriate learning experience for children ages three to five who are too young to enroll in kindergarten.

Child Care Centers. Child care centers offer or provide supplementary care to more than 12 children outside their own homes on a regular basis (CGS § 19a-77(a)(1)).

Group Child Care Homes. Group child care homes (1) offer or provide supplementary care to between seven and 12 children on a regular basis or (2) meet the family child care home definition, except that they do not operate in a private family home (CGS § 19a-77(a)(2)).

Family Child Care Homes. Family child care homes are private family homes caring for up to six children, including the provider's own children not in school full time, where a child is cared for between three and 12 hours per day on a regular basis. During the regular school year and the summer, family child care homes may care for additional school-aged children with the help of an OEC-approved assistant or substitute staff member (CGS § 19a-77(a)(3)).

§ 2 — GRANTS FOR STATE-CONTRACTED CHILD CARE CENTERS FOR DISADVANTAGED CHILDREN

Creates an alternative per-child grant for enrolled children aged three and younger in toddler or infant care; requires excess funding under one grant option to be used for educators' salary increases; requires the OEC commissioner to enter into contracts to expand spaces at these centers for infants and toddlers in FY 23

Existing law requires that these state-contracted child care centers' contracts with the state provide for a grant, within available appropriations, for the following:

1. part of the program's cost, as determined by the OEC commissioner, if the program is not federally assisted;
2. half the amount by which the program's net cost, as approved by the commissioner, exceeds its federal grant; or

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3. an amount at least equal to the per child cost set in state law for each child aged three to five not yet eligible to enroll in school.

The act maintains the above-described types of grants, and for the third type it creates an alternative \$13,500 per-child grant for children aged three and younger who are in toddler or infant care and not in a preschool program. Additionally, it requires these centers, beginning in FY 24, to use the portion of the per-child amount in the third type of grant that exceeds the FY 23 per child cost exclusively for their educators' salary increases. Prior law required the same excess expenditure since FY 20, but it measured the excess amount against the FY 19 grant instead.

Additionally, the act requires the OEC commissioner, within available appropriations, to enter into contracts to increase these centers' infant and toddler spaces (i.e., children who are not in preschool programs) for FY 23.

EFFECTIVE DATE: July 1, 2022

§ 3 — SURVEY ON SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES

Requires SDE to develop and distribute a survey that school districts must annually complete on the number of school social workers, psychologists, counselors, and nurses they employ; requires the education commissioner to calculate the student-to-worker ratio for each type of professional and report the survey results and the ratios to the Children's and Education committees

The act requires the State Department of Education (SDE), by July 1, 2023, and within available appropriations, to develop and distribute a survey to local and regional school boards to determine how many school social workers, school psychologists, school counselors, and school nurses they employ. The survey must also include information on (1) how many of each of these four types of professionals are employed and assigned to each school in a district; (2) whether any are assigned to more than one school and, if so, the geographic area they cover; and (3) an annual estimate of how many students received direct services from each type of professional during the five-year period before the survey is completed. (PA 22-116, § 6, adds licensed marriage and family therapists to the survey.)

Beginning with the 2023-24 school year, the act requires each school district to annually complete the SDE survey and submit it to the education commissioner when and how she requires. The completed survey must also be included with the application for a new grant the act creates to hire more of these professionals (see below).

Ratios

After receiving a completed school district survey, the act requires the education commissioner to annually calculate the student-to-worker ratio for each of the four types of professionals listed above for each school and each district.

Report

Beginning by January 1, 2024, the commissioner must annually report the

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survey results and the student-to-worker ratios to the Education and Children committees.

EFFECTIVE DATE: Upon passage

§§ 4 & 5 — NEW GRANT PROGRAM FOR SCHOOL SOCIAL WORKERS, PSYCHOLOGISTS, COUNSELORS, AND NURSES

Requires SDE to (1) administer grants for FYs 23 to 25 for school districts to hire and retain more school social workers, psychologists, counselors, and nurses; (2) make recommendations on the program's renewal beyond FY 25; and (3) hire a program administrator

The act requires SDE to administer a program for FYs 23 to 25 to provide grants for school districts to hire and retain more school social workers, school psychologists, school counselors, and nurses. (PA 22-116, §§ 7-8, expands the program to include grants for licensed marriage and family therapists.)

Applications

The act requires that grant applications be filed with the education commissioner when and how she decides. As part of the application, an applicant must submit a grant expenditure plan and copy of the completed survey required by the act.

The plan must at least include the following information:

1. the number of additional school social workers, school psychologists, school counselors, or school nurses to be hired;
2. the number of each type of professional being retained who was previously hired with these grant funds (presumably, for the second and subsequent years); and
3. whether each type of professional will conduct student assessments or provide services to students based on assessment results, and the type of those services.

In determining whether to award a grant, the act requires the commissioner to prioritize school districts (1) with large student-to-worker ratios for any of the four types of professionals listed above or (2) that have many students using mental health services.

Grant Awards

Under the act, for FY 23 the commissioner may award a grant, and must determine the grant amount, based on the applicant's submitted plan.

The act requires the commissioner to administer grant amounts in each of the program's three fiscal years as follows:

1. for FY 23, the commissioner determines the amount of the grant under the act;
2. for FY 24, the grant amount must be the same as that awarded in the prior fiscal year; and
3. for FY 25, the grant amount must be 70% of the grant amount awarded for

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the prior fiscal year.

Expenditure Reports and Refunding Unexpended Amounts

The act requires grant recipients to file annual expenditure reports with SDE when and how the commissioner prescribes. They must refund to SDE (1) any unexpended amounts at the close of the fiscal year in which the grant was awarded and (2) any amounts not expended as required under the approved grant application plan.

Utilization Rate

The act requires SDE to annually track and calculate the grant program's utilization rate for each recipient. The utilization rate is calculated using metrics that at least include the number of students served and the hours of service provided, using program grant funds.

Reporting

By January 1 of 2024, 2025, and 2026, the commissioner must submit a report to the Children's and Education committees on the utilization rate for each grant recipient and the expenditure report for the grant program.

Recommendations on Renewal

By January 1, 2026, the act requires the education commissioner to develop recommendations on (1) extending and funding the grant program in FY 26 and each fiscal year after that and (2) the program's grant award amounts. The commissioner must submit the recommendations to the Children's and Education committees.

Donations

Under the act, SDE may accept funds from private sources or any state agency, gifts, grants, and donations, including in-kind donations, to carry out the grant.

Program Administrator

For FY 23, the act requires SDE to hire a full-time administrator to run the grant program.

EFFECTIVE DATE: July 1, 2022

Background — Related Act

PA 22-47, §§ 12 & 13, requires SDE to develop and distribute to school districts a survey of mental health specialists employment by district and school, and

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districts must report the results to SDE. The survey results are also used in applications to SDE for a new grant program the act creates to enable districts to hire more mental health specialists (a term that includes school social workers, school psychologists, and others).

§ 6 — HUMAN SERVICES PERMIT

Requires SDE to study the feasibility of creating a temporary human services permit to allow those who have specialized training, experience, or expertise in social work, human services, psychology, or sociology to provide services to students in school

The act requires SDE to study the feasibility of creating a temporary human services permit. This permit would allow those who have specialized training, experience, or expertise in social work, human services, psychology, or sociology to work in a public school to respond to a school district's emergency need. They would not be required to meet the certification requirements to be a school social worker, school psychologist, or other professional under teacher certification law.

The study must include the following:

1. an analysis of the need for people with human services credentials to provide services to students in school districts,
2. an assessment of the appropriate qualifications needed for the permit in relation to school districts' need for staff to provide the services,
3. a comparison of the services that would be provided by permitted individuals to the services provided by certified staff, and
4. an analysis of whether the permit is necessary based on the initial results of the grant program provided in the act (see § 4).

In conducting the study, SDE must consult with higher education institutions, support services associations, superintendents, principals, support services staff, community providers, and families.

Under the act, SDE must submit a report with its findings and recommendations to the Education Committee by January 1, 2024.

EFFECTIVE DATE: July 1, 2022

§§ 7-9 — OPIOID ANTAGONISTS IN SCHOOLS

Generally (1) allows school nurses and qualified school employees to maintain and administer opioid antagonists to students who do not have prior written authorization to receive the medication; (2) requires SDE to develop related guidelines; (3) authorizes prescribers and pharmacists to enter into agreements with school boards on the distribution and administration of opioid antagonists; and (4) requires DPH to provide school boards with information on acquiring opioid antagonists from manufacturers

School Nurse and Qualified Employee Authorization (§ 7)

The act authorizes a school nurse or, in the absence of a school nurse, a qualified school employee to maintain opioid antagonists to administer emergency first aid to a student who is experiencing an opioid-related drug overdose but does not have prior written authorization from a parent or guardian or prior order from a qualified

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medical professional to receive this medication.

Under the act, a school nurse or principal must select qualified school employees to administer an opioid antagonist, and at least one of them must be on school grounds during regular school hours when the school nurse is not. A qualified school employee may administer an opioid antagonist only when the school nurse is absent or unavailable. A school nurse or qualified school employee administering an opioid antagonist must do so in accordance with the school board's policies and procedures the act requires it to adopt.

Under the act, a "qualified school employee" is a principal, teacher, licensed athletic trainer, coach, school paraprofessional, or licensed physical or occupational therapist employed by the school district.

The act prohibits a school nurse or qualified school employee from administering an opioid antagonist unless he or she completes training in its distribution and administration (1) under a local agreement with a prescriber or pharmacist (see below) or (2) in a training developed by the departments of consumer protection (DCP), education (SDE), and public health (DPH).

The act allows parents or guardians to submit a written request to the school nurse or medical advisor, if any, stating that their student may not be administered an opioid antagonist under these provisions.

Guidelines (§ 7)

The act requires SDE to develop guidelines for local and regional school boards on storing and administering opioid antagonists in schools. The department must do this by October 1, 2022, and in consultation with DCP and DPH.

Relatedly, it requires the State Board of Education, in consultation with DPH, to adopt regulations specifying the conditions and procedures for the storage and administration of opioid antagonists by school personnel under these provisions.

Opioid Antagonist Distribution Agreements (§ 8)

The act authorizes prescribers or pharmacists certified to prescribe an opioid antagonist to enter into an agreement with local or regional school boards on the distribution and administration of opioid antagonists. Existing law already allows prescribers and pharmacists to make these agreements with law enforcement agencies, emergency medical service providers, government agencies, and community health organizations. As under existing law, the act requires the agreement to address the school boards' opioid antagonist storage, handling, labeling, recalls, and record keeping. The prescriber or pharmacist must train the people who will distribute or administer opioid antagonists under the agreement. Additionally, people who will distribute or administer opioid antagonists must be trained first.

Information on Opioid Antagonist Acquisition (§ 9)

For the 2022-2023 school year, the act requires DPH, in collaboration with

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SDE, to provide information to local and regional school boards on where boards can acquire opioid antagonists. The information must include the name and contact information of any opioid antagonist manufacturers that provide the medication at no cost to school districts.

Definitions (§ 7)

By law and under the act, an “opioid antagonist” is naloxone hydrochloride (e.g., Narcan) or any other similarly acting and equally safe drug that the Food and Drug Administration has approved for treating a drug overdose (see CGS § 17a-714a).

Under the act, a “qualified medical professional” is a state-licensed physician, optometrist, advanced practice registered nurse, or physician assistant.

EFFECTIVE DATE: Upon passage, except the provisions (1) allowing school boards to enter into local agreements with a prescriber or pharmacist and (2) requiring DPH to provide information to local school boards on acquiring opioid antagonists take effect July 1, 2022.

§ 10 — TASK FORCE TO COMBAT ABLEISM

Establishes a 14-member task force to combat ableism and requires it to submit its findings and recommendations to the Children’s and Education committees by January 1, 2023

The act establishes a 14-member task force to combat ableism that must identify (1) current efforts to educate all students on disability and combat ableism in classrooms and in the public school curriculum and (2) opportunities to expand these efforts and integrate them into social-emotional learning. Under the act “ableism” means intentional or unintentional bias, prejudice, or discrimination against people with physical, psychiatric, or intellectual disabilities. Under existing law, social-emotional learning means the process through which children and adults achieve emotional intelligence through the competencies of self-awareness, self-management, social awareness, relationship skills, and responsible decision-making (CGS § 10-222v).

The task force must submit its findings and recommendations to the Children’s and Education committees by January 1, 2023. The task force terminates on this date or when it submits the report, whichever is later.

Membership

Under the act, task force members include the Advisory Council for Special Education chairperson and the following individuals or their designees: the education, early childhood, and children and families commissioners; the chief court administrator, and the Special Education Equity for Kids of Connecticut director.

It also includes eight appointed members as listed in the table below.

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Task Force to Combat Ableism Appointed Members

Appointing Authority (Number of Appointments)	Member Organization or Other Qualifier
House speaker (two)	Educator employed by a local or regional school board A leader in social-emotional learning who works with children
Senate president pro tempore (two)	A special education teacher A member of the social and emotional learning and school climate advisory collaborative
House majority leader (one)	School administrator employed by a school board
Senate majority leader (one)	Local or regional school board chairperson
House minority leader (one)	Director or employee of a private nonprofit service or program provider for children with disabilities
Senate minority leader (one)	Director or employee of a private nonprofit organization that provides disability-related services or programs for children

Appointing authorities must make initial appointments within 30 days after the act passes (i.e., June 23, 2022) and fill any vacancies. Appointed members may be legislators.

The act requires the House speaker and Senate president pro tempore to select the task force chairpersons from among its members. The chairpersons must schedule the first task force meeting within 60 days after the act passes (i.e., July 23, 2022).

Under the act, the Committee on Children’s administrative staff serve in this capacity for the task force.

EFFECTIVE DATE: Upon passage

§ 11 — CONNECTICUT INTERSCHOLASTIC ATHLETIC CONFERENCE (CIAC) TASK FORCE

Establishes an eight-member task force to study the governance structure and internal procedures of CIAC and requires it to submit its findings and recommendations to the Education Committee by January 1, 2023

The act establishes an eight-member task force to study CIAC’s governance structure and internal procedures, including (1) CIAC’s leadership structure and how leadership positions are filled and (2) how the organization receives and resolves complaints filed by CIAC members and individuals.

CIAC is a private, nonprofit organization that regulates high school athletics. (Almost all Connecticut public and parochial high schools are dues-paying members.) CIAC members elect the organization’s governing board members.

Membership

Under the act, task force members include the CIAC director, or his designee, and seven appointed members listed in the table below.

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CIAC Task Force Appointed Members*

<i>Appointing Authority</i>	<i>Member Organization or Other Qualifier</i>
House speaker	Person with experience in coaching
Senate president pro tempore	Two persons who are the parents or guardians of a student athlete for a CIAC member school
House majority leader	Person who is an expert in diversity in sports
Senate majority leader	Athletic director for a CIAC member school
House minority leader	Person with expertise in sports management
Senate minority leader	Administrator at a CIAC member school
<p>*PA 22-116, § 11, modified the qualifications for the following members:</p> <ul style="list-style-type: none"> • House speaker appointee must be a coach at CIAC public school member • House majority leader appointee must, in addition to existing qualification, be a member of CIAC • Senate majority leader appointee must, in addition to existing qualifications, must be from a public school district 	

Appointing authorities must make initial appointments within 30 days after the act’s passage (i.e., June 26, 2022; date determined by passage of PA 22-116) and fill any vacancies. Appointed task force members may be legislators.

Leadership and Meetings

The act requires the House speaker and Senate president pro tempore to select the task force chairpersons from among its members. The chairpersons must schedule the first task force meeting within 60 days of the act’s passage (i.e., July 26, 2022; date determined by passage of PA 22-116).

Under the act, Education Committee administrative staff serve as the task force administrative staff.

Report

The act requires the task force to submit its report to the Education Committee by January 1, 2023. The task force terminates on this date, or when it submits the report, whichever is later.

EFFECTIVE DATE: Upon passage

§ 12 — SCHOOL-BASED HEALTH CENTER GRANT EXPANSION PROGRAM

Requires DPH to administer a school-based health center grant expansion program in FY 23 to provide grants to certain school-based health center operators to expand the centers and their services

The act requires DPH to administer a school-based health center (SBHC) grant

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expansion program in FY 23 to provide grants to certain SBHC operators to expand the centers and the services they provide.

Under the act, applicants are eligible for a program grant if they operate a SBHC for any of the (1) 36 sites recommended for expanded mental health services in the School-Based Health Center Expansion Working Group’s final report or (2) 124 schools recommended for expanded SBHC medical and mental health services in the final report. When awarding grants, the act requires DPH to prioritize SBHC operators that will provide services after regular school hours. Operators must apply to DPH (1) in a time and manner the department prescribes and (2) in collaboration with the local or regional school board for the district where the SBHC is located.
EFFECTIVE DATE: July 1, 2022

§ 13 — LEARNER ENGAGEMENT AND ATTENDANCE PROGRAM (LEAP)

Requires SDE to provide, within available appropriations, assistance and support for FY 23 to the school districts participating in LEAP

The act requires SDE to provide assistance and support to the school districts participating in LEAP. It must do so for FY 23 and within available appropriations. In practice, the program aims to help high-needs districts bring more students back into schools and enroll students in summer programs, among other things.
EFFECTIVE DATE: Upon passage

§ 14 — MINIMUM DUTY-FREE LUNCH PERIODS FOR TEACHERS

Creates a minimum 30-minute uninterrupted lunch period for teachers and other professional employees of school districts

By law, all professional certified school district employees (e.g., teachers, administrators, school social workers, and school counselors) who work directly with children must have a guaranteed, duty-free lunch period. The act requires that the period be uninterrupted and 30 minutes long or as long as the time prescribed in the appropriate collective bargaining agreement, whichever is greater.
EFFECTIVE DATE: July 1, 2022

§ 15 — MINORITY TEACHER CANDIDATE SCHOLARSHIP PROGRAM

Requires SDE to administer a new minority teacher candidate scholarship program; authorizes grants of up to \$20,000 a year for high school graduates of priority school districts who are enrolled in a teacher preparation program at any four-year higher education institution

The act requires SDE to administer a new minority teacher candidate scholarship program. It defines “minority” as anyone whose race is defined as other than white or whose ethnicity is defined as Hispanic or Latino by the federal Office of Management and Budget for use by the Census Bureau.

Under the act, the program must provide an annual scholarship to minority students who (1) graduated from a public high school in a priority school district and (2) are enrolled in a teacher preparation program at any four-year higher

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education institution. Maximum grants cannot exceed \$20,000 per year.

By law, a priority school district is a district that receives additional state grants based on a formula that considers high populations or concentrations of students (1) on temporary family assistance and (2) performing poorly on statewide mastery exams (CGS § 10-266p). (There are 15 priority school districts.)

The act requires SDE, in consultation with the Education Committee chairpersons, to develop a policy for administering the scholarships by January 1, 2023. The policy must address (1) any additional eligibility criteria, (2) scholarship payment and distribution, and (3) notifying high school students in priority school districts about the scholarship program.

Beginning with FY 24, SDE must annually award scholarships according to its policy and the act's requirements.

The act also allows SDE to accept public or private gifts, grants, and donations for the scholarship program.

EFFECTIVE DATE: July 1, 2022

§§ 16-22 — MINORITY TEACHER RECRUITMENT

Renames the minority teacher recruitment task force and requires it to study existing recruitment and retention programs

The act renames the minority teacher recruitment and retention (MTR) task force and requires it to study existing recruitment and retention programs. Under the act, the newly named "Task Force to Diversify the Educator Workforce" maintains the same membership and mission as outlined in existing law (see *Background*).

The act requires the task force to conduct a study to (1) evaluate the implementation of minority teacher recruitment and retention programs and state and local efforts and (2) analyze their effectiveness. The study must include at least the following:

1. a review of prior MTR legislation, including PA 18-34; PA 19-74; PA 19-117; and PA 21-2, June Special Session;
2. an evaluation of the programs and policies in that legislation, specifically their implementation and outcomes;
3. an assessment of (a) the strategies and resources being used to meet state law's goal for school boards to hire at least 250 new minority teachers and administrators annually, of which at least 30% are men, and (b) whether that goal is being realized; and
4. an analysis of any other MTR issue.

The act allows the task force to consult with the State Department of Education (SDE), Minority Teacher Recruitment Policy Oversight Council, and Education Committee co-chairpersons while conducting the study, which it must submit along with recommendations for legislation to the Education Committee by January 1, 2023 (see *Background*).

The act also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

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Background — Task Force Purpose

By law, this 13-member task force must study and develop strategies to increase and improve the recruitment, preparation, and retention of minority teachers in Connecticut public schools. Specifically, it must study the causes of the minority teacher shortage, current statewide and district demographics, and best practices (CGS § 10-156aa).

Background — Minority Teacher Recruitment Policy Oversight Council

This council within SDE advises the education commissioner on various minority teacher recruitment and retention methods, including high school, college, and interstate recruitment (CGS § 10-156bb).

§ 23 — TEACHER CERTIFICATION LAW REVIEW

Requires SDE to review the state's teacher certification statutes and regulations for obsolete provisions and barriers to entry into the profession, and report to the Education Committee by January 1, 2023

The act requires SDE to review the state's teacher certification statutes and regulations. The review must (1) identify obsolete provisions; (2) evaluate the existing requirements' effectiveness; and (3) analyze whether any of the laws create a barrier to entry or undue hardship for (a) teacher candidate recruitment or retention, including state reciprocity (including Puerto Rico) or (b) addressing student academic needs. The act allows SDE to seek stakeholder input while conducting its review.

SDE must report its findings and recommendations to the Education Committee by January 1, 2023.

EFFECTIVE DATE: Upon passage

§ 24 — CAREER AND TECHNICAL PATHWAYS INSTRUCTOR PERMIT

Authorizes SBE to issue career and technical pathways instructor permits if requested by a school board or RESC; the permits allow people who meet the criteria to teach part-time in a specialized field (i.e., manufacturing, allied health, computer technology, engineering, or the construction trades) for the 2022-23 and 2023-24 school years

The act authorizes the State Board of Education (SBE) to issue career and technical pathways instructor permits if requested by a school board or regional educational service center (RESC). Under the act, these permits allow people who meet criteria to teach part-time in a specialized field (i.e., manufacturing, allied health, computer technology, engineering, or the construction trades) for the 2022-23 and 2023-24 school years.

The act requires the employing board or RESC to provide a program, developed in consultation with SDE, to help these permitted instructors with academic and classroom supports. The act prohibits these instructors from filling a position at a school that will displace a certified teacher employed there.

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Under the act, the SBE-issued permit authorizes a person with specialized training, experience, or expertise in one of the fields described above to teach up to 20 classroom instructional hours per week in his or her field. To qualify, the person must have (1) an associate or bachelor's degree from an institution that is regionally accredited or accredited by either the Board of Regents or the Office of Higher Education or a qualifying credential (see below) in the specialized field and (2) at least two years' experience in one of those fields.

By law and under the act, a "credential" is a documented award issued by an authorized body, including the following:

1. a degree or certificate awarded by a higher education institution, private occupational school, or SBE-approved alternate route to certification program provider;
2. certification awarded through an exam process designed to demonstrate someone's knowledge, skill, and ability to perform a specific job;
3. a government-issued license that allows a qualifying person to practice a specific occupation; or
4. documented completion of an apprenticeship or job training program.

While employed, these instructors must be supervised by the school superintendent or a principal, administrator, or supervisor he or she designates. The designated supervisor must regularly observe, guide, and evaluate the instructor's performance.

Under the act, permitted instructors are not eligible for the Teachers' Retirement System (TRS) solely by holding a permit, but they are not excluded from TRS membership if they have a regular SBE-issued teacher's certificate.

EFFECTIVE DATE: July 1, 2022

§ 25 — REMOTE LEARNING

Permits school boards to authorize remote learning for students in grades kindergarten to 12 beginning with the 2024-25 school year and requires boards that provide remote learning to prohibit dual instruction

The act permits school boards to authorize remote learning for students in grades kindergarten to 12 beginning with the 2024-25 school year. Under prior law, boards had the option to provide remote learning only for grades 9-12.

For remote learning, existing law requires school districts to do the following:

1. instruct in compliance with the standards developed by the education commissioner under law and
2. adopt a policy on student attendance requirements during remote learning, which must (a) comply with the commissioner's guidance and (b) count attendance of any student who spends at least half of the day during virtual instruction engaged in virtual classes, virtual meetings, activities on time-logged electronic systems, and turning in assignments.

The act (1) similarly applies these requirements to remote learning for grades kindergarten to eight and (2) for all grades kindergarten to 12, requires districts to prohibit dual instruction (i.e., the simultaneous instruction by a teacher to students in-person in the classroom and students engaged in remote learning) as part of

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remote learning.

By law and unchanged by the act, “remote learning” is defined as instruction by means of one or more internet-based software platforms as part of a remote learning model.

The act also removes a provision from prior law stating that the commissioner’s remote learning standards must not be considered regulations.

EFFECTIVE DATE: July 1, 2022

§ 26 — STATE EDUCATION RESOURCE CENTER (SERC)

Expands SERC’s required programs and activities; removes the requirement that SERC’s real estate leases be subject to DAS approval, review, or regulation

By law, the purpose of SERC, a quasi-public agency, is to help SBE provide programs and activities that promote educational equity and excellence.

SERC Programs and Activities

In addition to specific programs and activities in existing law, the act requires SERC to support local education agencies (i.e., public school districts) serving families’, communities’, and service providers’ needs. It also requires, rather than allows, SERC to support programs and activities for early childhood education, school and district academic performance improvement, and opportunity gap closure. Lastly, it requires SERC to support and collaborate with other state agencies when performing any of the programs and activities required by law.

Department of Administrative Services (DAS) Approval of Real Estate Transactions

The act removes SERC leases of real property from DAS oversight but maintains the requirement that their terms be necessary or incidental to SERC and its board of directors carrying out their duties under state law. Under existing law, unchanged by the act, the following SERC real estate transactions remain subject to DAS approval, review, or regulation: investments, acquisitions, purchases, ownership, management, holdings, disposals, conveyances, deals, or agreements.

The act also makes technical changes.

EFFECTIVE DATE: July 1, 2022

§§ 27 & 28 — OPEN CHOICE PROGRAM

Expands the New Haven-area program to include Guilford public schools and creates new earmarks for excess, nonlapsing Open Choice funds appropriated to SDE

Open Choice is a voluntary interdistrict attendance program that allows students from large urban districts to attend suburban schools and vice versa on a space-available basis. Its purpose is to reduce racial, ethnic, and economic isolation; improve academic achievement; and provide public school choice. In consultation

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with RESCs, receiving districts determine whether to participate in the program and how many seats to make available to students.

Program Expansion (§ 27)

Beginning with the 2022-23 school year, the act makes Guilford public schools eligible to participate in the Open Choice Program as a receiving and sending district paired with New Haven public schools. (Although Guilford and New Haven are served by different RESCs, students in the program generally only attend public schools in the same RESC region.)

Earmarks for Excess Open Choice Funds (§ 28)

By March 1 each year, existing law requires the education commissioner to determine whether the number of students enrolled in Open Choice is lower than the number that appropriated funds anticipated. By law, these excess funds are nonlapsing, and the commissioner must use up to \$500,000 of these funds for supplemental grants for Open Choice receiving districts on a pro-rata basis for each out-of-district student who is one of at least nine other out-of-district students attending the same school, up to \$1,000 per student.

The act earmarks any remaining unspent Open Choice funds for the following purposes: (1) the second \$500,000 for SERC to provide professional development to certified employees and other school personnel in Open Choice districts receiving students and (2) any remaining funds for wrap-around services for students participating in Open Choice, including tutoring, family support, and experiential learning.

Correspondingly, the act removes from prior law the following second and third earmark requirements for grants to receiving districts:

1. the next \$500,000 to \$999,999 to provide grants on a pro-rata basis, in an amount the commissioner determines, to receiving districts that had more out-of-district students that school year than in the previous school year and
2. the remaining funds for the commissioner to use to increase Open Choice program enrolment in general.

EFFECTIVE DATE: July 1, 2022

§ 29 — TEACHER SHORTAGE AND RETENTION TASK FORCE

Creates a teacher shortage and retention task force to make recommendations that address (1) teacher attrition and retention, (2) teacher shortages across subject matter disciplines, and (3) issues relating to equity and diversity

The act creates the state teacher shortage and retention task force that must develop a report with recommendations addressing (1) teacher attrition rates and retention, including retirement system incentives; (2) teacher shortages across subject matter disciplines; (3) the impact of retention and shortages on financially distressed school districts; and (4) streamlining teacher certification without diminishing standards or a teaching certificate's professional value.

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In developing the report, the task force must also (1) address issues relating to equity, diversity, and inclusion and (2) examine strategies other states use to address teacher shortages and to attract and retain teachers.

The task force must submit its report to the Children's and Education committees by January 1, 2024. The task force terminates on that date or when it submits its report, whichever is later.

Membership and Appointments

The 17-member task force consists of the education commissioner and the Teachers' Retirement Board's chief administrator, or their designees, plus the following appointed members:

1. two certified teachers for grades 6 to 12, one each recommended by the Connecticut Education Association (CEA) and the American Federation of Teachers-Connecticut (AFT-C), appointed by the House speaker;
2. two certified teachers teaching in grades kindergarten to 5, one each recommended by CEA and AFT-C, appointed by the Senate president pro tempore;
3. one certified teacher in a priority school district, recommended by CEA, appointed by the House majority leader;
4. one certified teacher in a priority school district, recommended by AFT-C, appointed by the Senate majority leader;
5. one certified administrator, recommended by the Connecticut Association of Schools (CAS), appointed by the House minority leader;
6. one certified administrator serving as the principal of a school in a priority school district, recommended by CAS, appointed by the Senate minority leader;
7. one certified teacher serving on the Minority Teacher Recruitment Policy Oversight Council, appointed by the Education Committee's House chairperson;
8. one certified teacher serving, or who has served, on the Task Force to Diversify the Educator Workforce (formerly the Minority Teacher Recruitment Task Force), appointed by the Education Committee's Senate chairperson;
9. one faculty member at a Connecticut higher education institution who has expertise in teacher recruitment strategies, recommended by the Connecticut chapter of the American Association of Colleges for Teacher Education, jointly appointed by the Education Committee's House and Senate ranking members; and
10. one State Board of Education member, one Technical Education and Career System board member, and two Connecticut Association for Public School Superintendents representatives, all appointed by the governor.

Appointing authorities must make their appointments by July 24, 2022 (30 days after the act's passage) and fill any vacancies. The House speaker and Senate president pro tempore must select the chairpersons from among the task force's membership. The chairpersons must schedule the first meeting by August 23, 2022

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(60 days after the act's passage).

The Education Committee's administrative staff serve as the task force's administrative staff.

EFFECTIVE DATE: Upon passage

§ 30 — UNIFIED SCHOOL DISTRICT #1 (USD #1) STUDY

Requires DOC, in consultation with SDE, to study how the funding of USD #1, the school district that serves inmates, compares to the funding of other school districts and education programs

The act requires the Department of Correction (DOC), in consultation with SDE, to conduct a study of how USD #1, the school district within DOC that serves state inmates, is funded and how that funding compares to that of other school districts and education programs.

The study must include (1) an examination of the average cost per pupil for USD #1 students and the amount received per pupil in state education funding for the students and (2) a comparison of those per pupil costs and per pupil funding with other school districts and education programs in the state.

DOC must submit a report on its findings and recommendations, if any, to the Appropriations and Education committees by January 1, 2023.

EFFECTIVE DATE: Upon passage

§ 31 — RAISING THE SPECIAL EDUCATION AGE LIMIT

Requires school districts to provide special education services to qualifying students until they reach age 22

The act requires school districts to provide special education services to qualifying students until they reach age 22, rather than 21. (In 2020, a federal court ruled that since Connecticut provides adult education that can result in a high school diploma for young adults up to age 22, federal special education law requires the state to provide special education to students up to the same age (*A.R. v. Connecticut State Board of Education*, 5 F. 4th 155 (2d Cir. 2021))). The federal Individuals with Disabilities Education Act requires states to provide public education to students eligible for special education up to the same age that the state provides education to those who are not eligible for special education.)

EFFECTIVE DATE: July 1, 2022

§§ 32 & 33 — ASIAN AMERICAN AND PACIFIC ISLANDER (AAPI) STUDIES

Starting with the 2025-26 school year, requires all local and regional boards of education to include AAPI studies in their social studies curriculum and adds AAPI studies to the state's existing required program of instruction for public schools

Beginning with the 2025-26 school year, the act (1) requires all school boards to include AAPI studies in their social studies curriculum and (2) adds AAPI studies to the state's existing required program of instruction for public schools as part of

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the social studies curriculum. As with other required subject matter areas under existing law, the act requires SBE to make AAPI curriculum materials available to help boards develop their instructional programs.

The act requires boards of education, in their AAPI curriculum, to at least include a focus on the history of Asian American and Pacific Islanders in the state, region, and United States and their contributions (1) towards advancing civil rights from the 19th century to the present day; (2) as individuals; in government; and to the arts, humanities, and sciences; and (3) as communities to the United States' economic, cultural, social, and political development.

In developing and implementing the new AAPI curriculum, the act allows boards to (1) use existing and appropriate public or private materials, personnel, and resources, including curriculum materials that SBE must make available under the act, and (2) accept gifts, grants, and donations, including in-kind donations. The curriculum must also meet SBE's statewide subject matter content standards.

EFFECTIVE DATE: July 1, 2022, for the new curriculum requirement for boards of education and July 1, 2025, for the addition of AAPI studies to the required program of instruction.